

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

vs.

STEPHEN ALAN MACOMBER,

Defendant.

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8:10CR220

ORDER

This matter is before the court on the motion for an extension of time by defendant Stephen Alan Macomber (Macomber) (Filing No. 32). Macomber seeks an additional thirty days in which to file pretrial motions in accordance with the progression order. Macomber has filed an affidavit wherein he consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act. Upon consideration, the motion will be granted.

IT IS ORDERED:

Defendant Macomber's motion for an extension of time (Filing No. 32) is granted. Macomber is given until **on or before June 18, 2012**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the **time between May 17, 2012, and June 18, 2012**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant requires additional time to adequately prepare the case, taking into consideration due diligence, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 17th day of May, 2012.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge